

DFW-APIC Government Affairs Committee (GAC) – 81st Texas Legislative Session

August 2009

TEXAS REGISTER: <http://www.sos.state.tx.us/texreg/index.shtml>

- On 7/31/09 there were PROPOSED changes published for **Chapter 97. COMMUNICABLE DISEASES Subchapter F. SEXUALLY TRANSMITTED DISEASES INCLUDING AIDS AND HIV 25 TAC §§97.131 -97.134** (proposed amendments would require the reporting of additional types of STD laboratory tests). Public comment is open for 30 days from the 7/31/09 proposed rule publication date.
- The PROPOSED rule change of 05/29/09 has not been adopted as of 07/31/09: **Chapter 97. COMMUNICABLE DISEASES Subchapter A. CONTROL OF COMMUNICABLE DISEASES 25 TAC §97.7** (diseases requiring exclusion from schools).

TEXAS 81st LEGISLATIVE SESSION

- At the end of the Regular 81st Legislative 2009 Session all bills that passed are listed in the table below.
- GAC reviewed 290 filed bills with the words “infection” or “disease” and twenty-five (25) were followed for activity (movement through the system).
- Bills listed as “Sent to the Governor” become law within 30 days if not vetoed.
- The six (06) bills listed will be law as of 09/01/09 or sooner as indicated.
- SB 7 had several of its sections added as “amendments” to SB 203; however, SB 7 itself was not enacted into law. The additional changes/amendments to SB 203 that have IP&C content involve: a) including “Preventable Adverse Events” to the advisory panel with two more PI or QA representatives bringing the panel membership from 16 to 18, while removing all hospital and/or ASC employment requirements for appointment qualifications; b) linking healthcare-associated adverse events for Texas similar to the current CMS format; c) including all NQF “list of adverse events” unless the executive commissioner excludes events in consultation with the advisory panel; and, d) allowing the formation of various sub-committees to work with the advisory panel to accomplish objectives.

Texas Bills Filed with Infection Control Content*

| Bill Name | Last Activity | Summary of Content |
|-----------------------|---|---|
| SB 203 (Shapleigh) | Signed by Governor 06/19; Effective 09/01/09 | Relating to the reporting of MRSA infection rates in hospitals, all units. COMMITTEE SUBSTITUTE LANGUAGE: <u>‘including the causative pathogen if the infection is laboratory-</u> |

| Bill Name | Last Activity | Summary of Content |
|------------------------|---|--|
| | | <u>confirmed,</u> ... for the CLABSI and SSI forms included in SB 288 from last session. Also, see last bullet above for all the amendments inserted into SB 203 from SB 7, which did not pass. |
| SB 291 (Nelson) | Signed by Governor 06/19; Effective Immediately | Relating to hepatitis B vaccination for students enrolled in certain health-related courses of study at an institution of higher education. |
| SB 347 (Nelson) | Signed by Governor 05/13; Effective 09/01/09 | Relating to the receipt and release of immunization information by the immunization registry in connection with a disaster. NOTE: Companion Bill HB 1879 & HB 2383 |
| SB 1171 (Nichols) | Signed by Governor 06/19; Effective Immediately | Relating to certain health-related reports, records, and information. NOTE: Confidentiality Issues (permits interstate data sharing and expands the release of information to federal, local health departments and public health districts). |
| HB 1362 (Gutierrez) | Signed by Governor 06/19; Effective Ongoing in pilot counties until 09/01/11 | Relating to the reporting of MRSA. NOTE: Companion Bill SB 1816. Would move the “pilot” program of last session (80 th) of passed HB 1082 to become a standing “Program”. <i>Committee substitute focuses on MRSA infection prevalence by health authorities volunteering to participate and pilot program expires 09/01/11. Also, amended to specifically state this pilot does <u>not</u> include the requirement to report MRSA incident infections via SB 288 of the 80th legislative session.</i> |
| HB 4560 (Naishtat) | Signed by Governor 06/19; Effective 09/01/09 | Relating to certain diseases or illnesses suffered by certain emergency first responders. NOTE: Companion Bill SB 1213. Would add MRSA to the list of things we must report as “exposures” already in law/regulation. |

* Go to www.capitol.state.tx.us/ to view content of bills filed

Submitted: M.Macaluso and P.Grant 2009 APIC-DFW GAC Chair

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